



Legal Services and Employee Relations

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REVISED

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MuckRock.com (PR-273 18.19)

DEPT MR 71942

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Somerville, MA 02144-2516

Cover letter sent via email to: 71942-63867873@requests.muckrock.com

We are in receipt of your request for information pursuant to the Colorado Open Records Act §24-72-201 et seq.

The Colorado Open Records Act ("CORA") generally provides that all types of government are required to produce public records. Therefore, it is the policy of the District, consistent with CORA, that all public records shall be open for inspection by any person within a reasonable time, unless the District is prohibited by law from disclosing the requested records. The District is prohibited from releasing include, but not limited to:

- *Private, personally identifying information about students and their families.*
- *District personnel records that relate to employees except the following may be released:*
 - *Applications of past or current employees*
 - *Employment agreements*
 - *Any compensation including expense allowances and benefits*
 - *Any amount paid or benefit provided incident to termination of employment*
- *Proprietary information.*
- *Specialized details of security arrangements or investigations.*
- *Other records required by federal or state law and/or regulations or judicial decisions to remain confidential and/or not subject to disclosure.*

Sometimes the records requested do not exist. Pursuant to CORA, the District is not obligated, but may choose, to create a document for the requester for an additional required up-front fee.

In the interest of transparency, the District's goals in responding to include:

- Maximizing public transparency while minimizing costs and burdens to the District.
- Responding to requests as thoroughly and quickly as possible.
- Establishing universal guidelines for requesting and responding to records.

The District strives to respond to all requests for records. In doing so, it spends a substantial amount of time locating, reviewing, and disseminating records and information. CORA provides that the District can charge the following fees and require them payable before releasing records to the requesters:

- \$30.00 an hour research and retrieval fee whether the research results in finding the requested document (*first hour of time is not chargeable to the requester*).
- \$.25 per page copying fee.

- Postage.
- A reasonable hourly fee for manipulation of data so as to generate a record in a form not used by the District or to create a privileged log when required.

After reviewing your request and discussing it with our subject matter experts, we are providing you the following response:

Request:

(1) "Any email sent or received by any employee of your agency between Jan. 1, 2018 to Present Day which includes the keywords "Sol Pais", "Sol", "dissolvedgirl", and "Columbine High School".

(2) Any memos or documents responsive to "Sol Pais", a Florida-native who was found dead on Apr. 17, 2019 near the Echo Lake Lodge at the base of Mount Evans in Clear Creek County, Colorado. (For verification of death, please see this statement issued via Twitter by the FBI:

https://twitter.com/FBIDenver/status/1118567349567795206?ref_src=twsrc%5Etfw%7Ctwcamp%5Etmbed%7Ctwterm%5E1118567349567795206&ref_url=https%3A%2F%2Fwww.nytimes.com%2F2019%2F04%2F17%2Fus%2Fcolumbine-shooting-sol-pais.html).


Response:

At this time, our subject matter experts estimate the time necessary to research and retrieve the items requested to be two hours. As described above, a research and retrieval fee of \$30.00 is required in advance. The corresponding invoice is attached. Once payment has been received we will begin the search and retrieval process. If the search and retrieval process takes less than the estimated two hours, we will reimburse you the difference in the amount. Should you wish to provide narrower search terms in an attempt to lower the research and retrieval fee, please contact the Employee Relations Office at (303) 982-6544. Should we not receive payment or be contacted to narrow the search terms within two weeks we will deem this matter closed.

Revised Response:

We are mailing back check #2248 for \$30.00 to you showing it as voided as our search and retrieval process took less than the estimated two hours. After several attempts to reach you regarding the return of the check, we determined it best to mail the voided check back to you. According to our subject matter expert for this issue, attached is the document responsive to your request. We have redacted confidential information in accordance with Colorado Revised Statute § 24-72-200.1 et seq. Should you be concerned that some of the redactions are improper, please reach out to us for discussion and resolution.

Sincerely,



R. Craig Hess
Chief Legal Counsel

Attachment: Document

cc: Helen Neal – Chief of Staff, Superintendent and Board of Education